

United States Senate

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November 16, 2004

Mr. Kenneth Blodgett
Surface Transportation Board
Case Control Unit
Washington, D.C. 20423-0001

Dear Mr. Blodgett:

I am writing to express my continued support for the application of the Tongue River Railroad Company to construct and operate the Western Alignment. The Western Alignment replaces the southernmost 17 miles of the Four Mile Creek alternative alignment approved by the Board in 1996. Further, I support the Draft Supplemental Environmental Impact Statement (Draft SEIS) issued by the Surface Transportation Board (the Board) on October 15, 2004, addressing the environmental impacts of the proposed alignment and the mitigation measures proposed for the construction and operation of the Western Alignment.

I have submitted several written statements in the past supporting the Tongue River Railroad project, the most recent on April 13, 1998. I applaud the Board for approving the extension of the Tongue River Railroad project from Ashland, Montana to Decker in 1996. It is my understanding that approval of the Western Alignment in place of the Four Mile Creek alternative route will provide a safe and dependable rail alignment. The Western Alignment appears to be the most efficient rail alignment from an operating and maintenance perspective.

As I have stated before, the State of Montana is blessed with an abundance of low sulfur, high quality coal, including in the vicinity of Ashland, Montana. I was a strong proponent of the 1990 Clean Air Act Amendments that increased demand for low sulfur coal. However, adequate and affordable transportation is needed to allow Montana's coal to reach low sulfur markets. The Tongue River Railroad is expected to provide such transportation infrastructure, and will offer important job and economic opportunities to southeastern Montana communities and citizens.

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Successful implementation of the mitigation measures proposed by the Board in the Draft SEIS will help to ensure the construction and operation of a safe, economic and responsible rail development. I urge the Board to carefully review and approve the Western Alignment application.

With best personal regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Max Bauman". The signature is written in a cursive style with a large, stylized "M" and "B".

MSB/klb

cc: Roger Nober, Chairman